

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-15 are currently being prosecuted. Claims 1-13 are amended, and claims 14 and 15 are added. The Examiner is respectfully requested to reconsider the rejections in view of the Amendments and Remarks as set forth hereinbelow.

Rejection Under 35 U.S.C 103(a)

Claims 1-13 stand rejected under 35 USC 103 as being unpatentable over Rogers, US 4,583,992, in view of Bohn, WO 87/06680. This rejection is respectfully traversed.

As the Examiner will note, independent claim 1 has been amended to set forth a combination of elements wherein:

“wherein the pegs (6) extending upwardly into each of the substantially circular slots (9) has the same height.”

The Rogers document merely discloses rectangular-shaped slots having a long dimension extending in a radial direction.

Bohn merely discloses a stationary grate with arc-shaped slots that are only portions of a circle. The pins can only be moved back and forth within a very restricted distance in the slots. Moreover, the pegs of Bohn have varying heights.

Application No. 10/532,829
Amendment dated December 3, 2009
Reply to Office Action of September 8, 2008

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The Applicant respectfully submits that the proposed modification by the Examiner of the Rogers patent in view of Bohn renders the Rogers patent unsatisfactory for its intended purpose and thus is not sanctioned by the provisions of 35 U.S.C. § 103.

Therefore, independent claim 1 and the claims depending therefrom are in condition for allowance

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections.

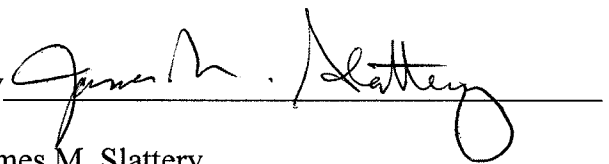
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: December 3, 2009

Respectfully submitted,

By


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